

# South Carolina Victim Service Coordinating Council

Final Report—Fiscal Year 2006-2007

Submitted to the SC State Office of Victim Assistance  
by Dana D. DeHart, Ph.D.

June 2007



The Center for Child & Family Studies  
College of Social Work  
University of South Carolina  
226 Bull Street  
Columbia, SC 29208

**Center Interim Director**

Johnny Jones, Ph.D.

**Project Director & Writer**

Dana D. DeHart, Ph.D.

**Project Consultant**

Pamela G. Bond, M.Ed., LMSW

This project was supported by an award from the SC State Office of Victim Assistance. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the SC State Office of Victim Assistance.

## ACKNOWLEDGEMENTS

We thank Ashlie Lancaster, Director of the SC State Office of Victim Assistance, for her ongoing support over the project's duration. Special thanks to all members of the Victim Service Coordinating Council for their openness, hard work, and commitment to working together to ensure the best possible services for victims of crime.

## COUNCIL MEMBERS

**Nancy Barton**

*Executive Director  
Sistercare, Inc.*

**William D. Bilton, Esq.**

*Executive Director  
SC Commission on Prosecution Coordination*

**M. Hope Blackley**

*SC Crime Victims' Ombudsman*

**Vicki Bourus, MSW, LISW**

*Executive Director  
SC Coalition Against Domestic Violence & Sexual Assault*

**Colleen Campbell Bozard**

*Interim Coordinator  
SC Association of Child Advocacy Centers*

**Marvin M. Bryant, Sr.**

*Chapter Leader  
SC Parents of Murdered Children, Inc.*

**Dottie Cronise**

*Investigator  
Richland County Sheriff's Department*

**Barbara W. Grissom**

*Director of Victim Services  
SC Department of Corrections*

**Dean G. Kilpatrick, Ph.D.**

*Distinguished Professor of Clinical Psychology  
Medical University of South Carolina*

**Surleaner Lakin, MA, CVAS**  
*Victim Services Program Coordinator*  
*SC Department of Juvenile Justice*

**Ashlie Lancaster**  
*Director*  
*SC State Office of Victim Assistance*

**Barbara Jean Nelson**  
*Administrator, Victims of Crime Programs*  
*SC Department of Public Safety*

**Tricia H. Phaup, LMSW**  
*Director, Health & Wellness Programs*  
*University of South Carolina Office of Sexual Health & Violence Prevention*

**Robert G. Rightsell**  
*Director, Victim Assistance Program*  
*11th Circuit Solicitor's Office*

**Veronica R. Swain**  
*Chief Executive Officer*  
*South Carolina Victim Assistance Network*

**Sandi S. Wofford**  
*Director, Victim Services*  
*Office of the SC Attorney General*

**Anne W. Wolf**  
*Director of Victim Services*  
*SC Department of Probation, Parole, & Pardon Services*

## EXECUTIVE SUMMARY

The SC Victim Service Coordinating Council (VSCC) is part of the State Office for Victim Assistance's mandate to provide "support for a state-level advisory group representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts." Activities during this fiscal year included bringing in experts on national models of victim service coordination, as well as follow-up planning regarding goals for the VSCC. The VSCC generated a list of goals and selected three as priorities for this fiscal year.

The first goal addressed problems in compensation procedures. A key issue was the legislative limitation on victims' compensation for counseling, in that procedures do not allow for counseling beyond 180 days of the first session attended, even under special circumstances. The Compensation Workgroup felt that this and related issues could be addressed through proposing minor changes to the Title 16 legislation governing compensation claims. A draft is included in this report.

The second goal addressed safety-and-accountability audits. The audit procedure derives from a model implemented across the United States. In an audit, a cooperative multidisciplinary group of responders use observations, interviews, organizational mapping, and analysis of forms and other texts to assess their own response. The Safety & Accountability Audit Workgroup proposed pilot audits in SC that could then be used to develop a template for additional audits.

The third VSCC goal addressed standards to hold systems accountable to victims across jurisdictions and agencies. The Standards Workgroup proposed a system of mandatory certification for all new victim service providers within their first year of employment. Because of the VSCC's role in reviewing and approving standards, the Standards Workgroup found it necessary also to address composition and permanence of the VSCC. After careful consideration of options and implications, the VSCC agreed upon a 20-person Council structure detailed in this report.

Beyond priority goals, the VSCC prepared letters to legislators to express endorsements of several recommendations of the SC Legislative Audit Council, and several prospective VSCC goals were set aside for consideration in the next fiscal year. Formal recommendations of the VSCC included those regarding future VSCC structure, adoption of proposed legislative changes regarding certification and compensation, and implementation of several recommendations proposed by the SC Legislative Audit Council, among other things.

# TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
<b>MISSION.....</b>	<b>1</b>
<b>VALUES.....</b>	<b>2</b>
<b>MEMBERSHIP .....</b>	<b>2</b>
<b>GOALS &amp; PROGRESS .....</b>	<b>2</b>
<i>Goal One: Address Problems in the Compensation System .....</i>	<i>2</i>
<i>Goal Two: Examine Feasibility of Safety &amp; Accountability Audits .....</i>	<i>3</i>
<i>Goal Three: Develop Standards to Hold Systems Accountable.....</i>	<i>3</i>
<i>Additional Activities .....</i>	<i>4</i>
<i>More on Recommendations of the SC Legislative Audit Council .....</i>	<i>5</i>
<i>Goals for Future Consideration .....</i>	<i>6</i>
<b>EVALUATION OF VSCC ACTIVITIES .....</b>	<b>6</b>
<i>Summary of Accomplishments .....</i>	<i>6</i>
<i>VSCC Member Evaluations .....</i>	<i>7</i>
<i>Projected &amp; Observed Timelines.....</i>	<i>7</i>
<i>Assessment of Fiscal Expenditures .....</i>	<i>9</i>
<i>Barriers &amp; Lessons Learned.....</i>	<i>9</i>
<b>RECOMMENDATIONS .....</b>	<b>10</b>
<b>APPENDIX A: VSCC MEMBER BIOS.....</b>	<b>11</b>
<b>APPENDIX B: PROPOSED COMPENSATION LEGISLATION .....</b>	<b>22</b>
<b>APPENDIX C: PROPOSED STANDARDS LEGISLATION.....</b>	<b>18</b>
<b>APPENDIX D: PROPOSED CHANGES TO BILL 3129.....</b>	<b>24</b>
<b>APPENDIX E: LETTERS TO THE GENERAL ASSEMBLY.....</b>	<b>27</b>

## INTRODUCTION

The SC Victim Service Coordinating Council (VSCC) is part of the State Office for Victim Assistance's (SOVA's) mandate to provide "support for a state-level advisory group representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts" (Title 16, Article 14 of the SC Code of Laws). With input from SOVA and consideration of victim-service expertise, commitment, and diversity of interests represented, 17 persons were selected to serve on a newly formed Victim Service Coordinating Council (Appendix A includes member bios). Council members bring with them not only their current affiliations, but also a rich background of professional experiences in the field.

Initial activities included a pre-reading and bringing in three expert panelists to provide baseline education on national models of victim service coordination. This included Graham Barnes presenting on components of the Duluth Model of coordinated response, JAC Patrissi presenting on Vermont's victim service strategic planning initiative, and Anne Seymour presenting on federally funded strategic planning initiatives in five states. These experts assisted with facilitation as Council members began strategic planning via large and small group discussions regarding options and goals for VSCC functioning. Several additional full Council meetings were held to bring in background research on emerging issues and to prioritize goals for action. Workgroups were formed around three priority goals, with these groups holding smaller meetings to develop proposals presented to the broader Council for input and refinement. The information contained in this report stems from this strategic planning process and reflects consensus decisions supported by the full VSCC.

## MISSION

The mission of the SC Victim Service Coordinating Council is to utilize engaged discussions and group planning to:

- improve coordination efforts of victim service providers;
- suggest policy and procedural improvements to victim service agencies and groups; and
- recommend needed statutory changes to the General Assembly.

All of this is directed toward the end goal of promoting the highest quality victim services across the state.



## VALUES

The Council believes that crime affects entire communities, and thereby coordination is critical to saving lives and serving needs of diverse victims. Various government and community-based providers of victim services can each make unique and valuable contributions when acting as a coordinated network. The entire system must be responsible for holding offenders accountable and keeping victims informed, involved, protected, and respected throughout the justice process.

## MEMBERSHIP

To achieve a workable group size, balance and range of perspectives, and flexibility to accommodate individuals of strong motivation and expertise, the current VSCC suggests that future Council membership include no more than 20 members (specific membership is included in Appendix B under 16-3-1410 section F). The SC Victim Service Coordinating Council is charged with linking to others within the field through activities such as public dissemination of meeting minutes and progress updates, invitations for stakeholders to serve on Council subcommittees, and invitations for stakeholders to provide input on Council recommendations and products. Council members are encouraged to remain cognizant that promoting the common good for all stakeholders necessitates that members sometimes make hard decisions and compromises.

## GOALS & PROGRESS

Based on large and small group work done at meetings, the VSCC generated a list of goals and selected three to be addressed as priorities in this fiscal year. Three workgroups were formed around these goals, with progress detailed below.

### Goal One: Address Problems in the Compensation System

VSCC members agreed that there was a need to eradicate “kinks” in current compensation procedures. First, the procedures are inflexible and do not meet victims’ needs for counseling beyond 180 days after the first counseling session attended. This creates problems for those victims who may have, for instance, traumatic responses to key events (e.g., court dates, seeing the perpetrator). The Compensation Workgroup felt that this issue could easily be addressed through proposing minor changes to the Title 16 legislation governing compensation claims (16-3-1180 of the SC Code of Laws). A second issue involved requirements that compensation claims be filed by mail or in person (16-3-1230 of the SC Code of Laws). In anticipation of technological advances in

filing, the workgroup drafted language so that Title 16 would allow filing via approved electronic submission mechanisms. Appendix C includes a draft of all resulting language with changes indicated. The proposed language was reviewed and unanimously supported by the full VSCC for submission to the legislature.

A final issue of concern addressed rape victims being pressured to press charges at the time of the exam. If the victim chooses not to press charges and does not undergo an exam, this presents an irrevocable problem in evidence recovery if, at a later date, the victim decides to pursue charges. This is particularly problematic given emerging DNA technology, in that victims now sometimes come forward to testify only after learning that many other persons have been victimized by the same individual. The workgroup felt that this issue required greater exploration, including examination of models for anonymous exams as well as consultation with providers in the field. The issue was tabled for consideration at a later date.

## **Goal Two: Examine Feasibility of Safety & Accountability Audits**

The safety-and-accountability-audit procedure derives from a national model being successfully implemented at sites across the nation. In an audit, a cooperative multidisciplinary group of responders uses observations, interviews, organizational mapping, and analysis of forms and other texts to assess their own responses. Particular attention is focused on linkage between various responders and gaps that may have a detrimental impact on victim safety. The audit is directed toward finding effective ways to improve systemic functioning rather than trying to identify problems with individual responders. Audits use widely tested procedures to assure confidentiality, thereby being safer and promoting greater buy-in than some alternative methods for addressing systemic problems.

The Safety & Accountability Audit Workgroup researched options and is proposing a model for implementing several pilot audits in SC. These initial audits could then be used to develop a template and encourage implementation of audits in additional agencies and jurisdictions. The workgroup has prepared a written overview of the audit procedure as well as a draft application for interested agencies/jurisdictions to apply for participation in the pilot audits. The Project Director also attended this year's national Safety & Accountability Audit Institute (five-day training) in Duluth, MN, to be trained as an audit coordinator. The full VSCC has discussed progress and encouraged SOVA to take a lead role in applying for federal funds to support proposed audits.

## **Goal Three: Develop Standards to Hold Systems Accountable**

The Standards Workgroup focused on development of standards to hold systems accountable to victims across jurisdictions and agencies. They are proposing a system of certification standards for individual advocates in order to promote consistency and quality of training across the state. The

standards would be reviewed and promulgated with approval of the VSCC, with flexibility for individual providers to choose how to attain training to meet standards. The VSCC proposes that certification be mandatory for all new victim service providers within their first year of employment.

Because of the role that the VSCC would take on in reviewing and approving promulgation of standards, the Standards Workgroup found it necessary also to address composition and permanence of the VSCC. This was done via multiple discussions involving the broader VSCC. After careful consideration of options and implications of each, the VSCC agreed upon a 20-person Council structure.

In the course of this work and in consultation with the full VSCC, the workgroup also identified sections of Title 16 (most notably those within 16-3-1410) that were obsolete; the VSCC supported modifications that would strike obsolete language.

The proposed changes to Title 16 addressing certification standards, VSCC composition, and related modifications are presented in Appendix B. These were reviewed and unanimously supported by the VSCC for submission to the legislature.

## Additional Activities

Because the VSCC plans to submit all of the aforementioned legislative proposals at once, one final issue was proposed for consideration by the Council. Regarding a pending Bill 3129, it was suggested that language be added to state “upon conviction of the offender, a copy of the victim information sheet must be forwarded to the receiving authority.” The modified language is presented in Appendix D and was supported unanimously by the full VSCC for submission to the legislature.

The VSCC also had opportunity to review several recommendations made in the March 2007 report by the SC General Assembly’s Legislative Audit Council (LAC), “An Overview of Victim Services in South Carolina.” Of the 11 recommendations made in this report, 6 explicitly propose activities for the VSCC. The first of these (p.22), follows:

“1. The General Assembly should dissolve the Victim Advocate Policy Committee, determine which of its functions remain necessary, and transfer those responsibilities to the Victim Services Coordinating Council or the Commission on Prosecution Coordination.”

There was unanimous consensus from the VSCC that these duties would be more appropriately situated within the Commission on Prosecution Coordination.

There were a number of LAC recommendations that did not directly pertain to the VSCC but upon which members felt it was important to comment. These LAC recommendations (p.31) addressed proposed amendments to the audit proviso:

“5. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to require that the Office of the State Auditor notify the State Office of Victim Assistance and South Carolina Court Administration of all completed court audit reports.

6. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to allow input from the State Office of Victim Assistance, the State Treasurer’s Office and South Carolina Court Administration in the audit selection process. If no input is received, a random selection process should be used.

7. The General Assembly should authorize the State Office of Victim Assistance and South Carolina Court Administration to follow up to ensure that deficiencies found in court audits are corrected.

8. The General Assembly should authorize the State Office of Victim Assistance to conduct programmatic reviews of victim services agencies.”

The VSCC unanimously supported these amendments. Regarding all of the aforementioned LAC recommendations, the VSCC has prepared letters to appropriate legislators to express endorsements (see Appendix E).

## More on Recommendations of the SC Legislative Audit Council

Timing of the release of the LAC report did not allow for formal VSCC deliberation on all recommendations involving the VSCC. However, it has been agreed by all members of the VSCC that the following suggested activities merit consideration by the VSCC:

- In conjunction with SOVA, the VSCC “should examine the grants made by the Department of Public Safety, the Department of Health and Environmental Control, and the Department of Social Services to determine if the grants could be consolidated under one agency and recommend statutory changes to the General Assembly” (Recommendation 2, LAC, 2007, p.23).
- In conjunction with SOVA, the VSCC “should develop procedures to improve coordination among all agencies to ensure that all victims are notified and all agencies receive victim impact statements as required by law” (Recommendation 3, LAC, 2007, p.26).

- In conjunction with SOVA, the VSCC “should determine the feasibility of creating a statewide automated victim notification system” (Recommendation 4, LAC, 2007, p.26).
- In conjunction with SOVA, the VSCC “should develop and distribute guidelines for the appropriate expenditure of victim services funds” (Recommendation 9, LAC, 2007, p.31).

These will be among goals considered for prioritization at the onset of the next fiscal year.

## Goals for Future Consideration

Finally, there are a number of goals generated in initial VSCC discussions, but which have not yet been prioritized for action, including:

- Exploring a system of restitution based on a model implemented in Vermont. The Vermont model centralizes administration of restitution with several full-time staff. Restitution is paid to victims at the court disposition and places burden of collection on systemic players rather than upon the victim. The model also implements numerous consequences for nonpayment by offenders, including garnished wages, withheld lottery winnings, tax offsets, and revocation of state privileges. The VSCC has gathered numerous resource materials on this model and has identified potential panelists/consultants in case this goal is pursued.
- Examining issues in funding, including finding an alternate method of dealing with reserve cash when grantees do not utilize funds as well as developing greater accountability for earmarked funds. This goal might be examined in conjunction with tasks recommended by the LAC.
- Forming a legislative committee for ongoing review, research, and draft refinements of legislation and legislative proposals.

All of these goals will be included among options to be considered by the VSCC early in the next fiscal year.

## EVALUATION OF VSCC ACTIVITIES

### Summary of Accomplishments

At the most general level, accomplishments in this fiscal year included identifying and selecting members to serve on the VSCC, holding five meetings for baseline education and consensus-based decision-making, holding numerous smaller workgroup meetings, developing a substantial research

base on topics of interest, using a strategic planning process to identify and prioritize Council pursuits, and achieving unanimity on a diverse array of issues.

In consultation with Council members, we have developed a contact list of over 600 potential stakeholders. We have posted a description of the VSCC, member bios, minutes, and reports on an Internet Web site. A graphic artist is also working on a VSCC logo and letterhead to raise visibility of the Council and its membership.

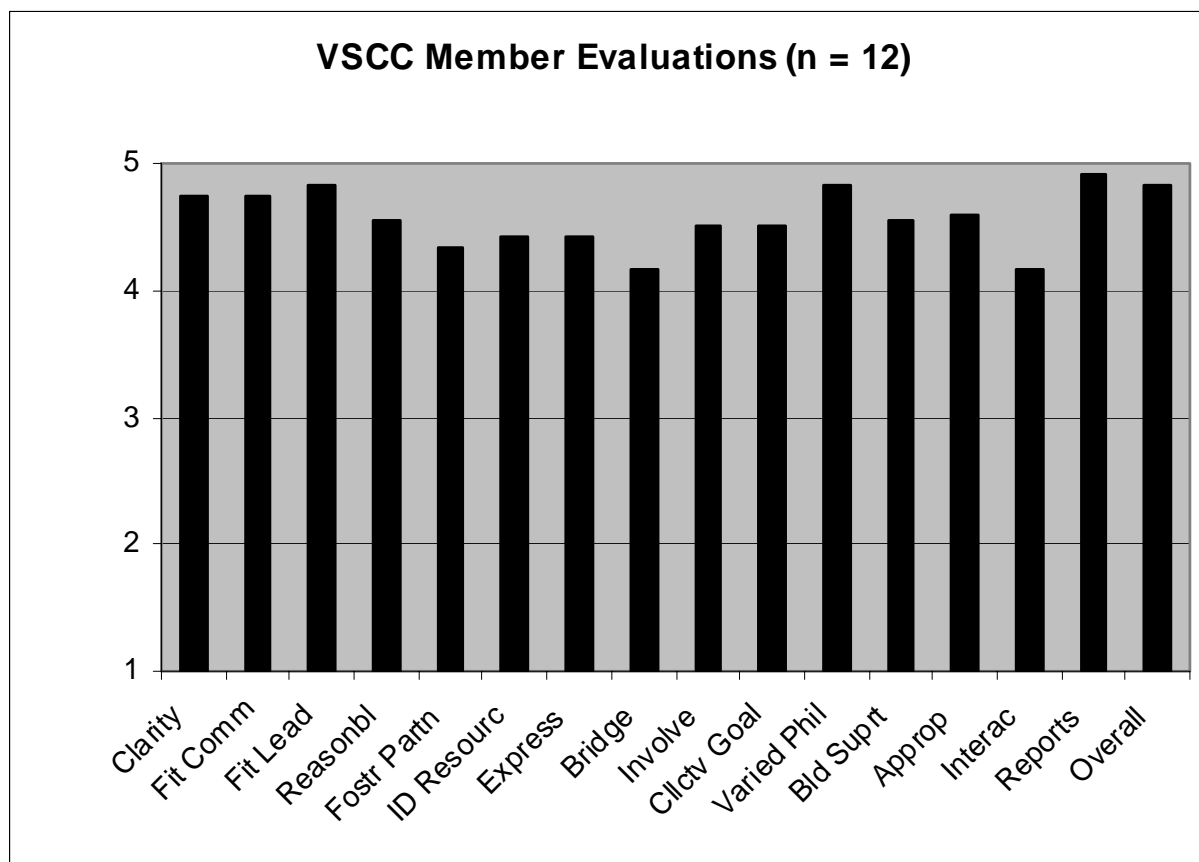
The VSCC has drafted and submitted legislative proposals on issues including crime victims' compensation, VSCC composition and purpose, and certification standards for victim service providers, among other issues. The VSCC has also prepared formal letters of support regarding several recommendations of the LAC. Further, materials are in preparation for a grant proposal from SOVA to apply for federal funds to support safety and accountability audits.

To facilitate transition to the proposed 20-member mandated structure proposed by the VSCC, the Council has convened a subcommittee to begin drafting bylaws to be presented at the first meeting of the next fiscal year.

## VSCC Member Evaluations

Toward the end of the fiscal year, Council members were sent evaluation forms to assess The Center's performance in leading the VSCC. Ratings included clarity of communication, 'fit' of Council focus to community needs, 'fit' of The Center to lead the Council, appropriateness of expectations, ability to foster strategic partnerships, ability to identify and draw upon community resources, ability to create a climate where members can express ideas and have sufficient time for group process, ability to bridge differences and combine input of different groups, ability to engage stakeholders in project activities, effectiveness in leading stakeholders toward collective goals, commitment to work with stakeholders from varied philosophies and backgrounds, ability to build support for the council among victim service providers, appropriateness of tasks and topics addressed at meetings, quality of interaction at meetings, quality of written and oral reports, and overall satisfaction with council functioning.

As can be seen in the bar graph that follows, returned surveys were generally positive with highly positive ratings for overall satisfaction with The Center's performance. There was near unanimity regarding outstanding performance on fit of The Center to lead the Council, commitment to work with stakeholders from varied philosophies and backgrounds, and quality of written and oral reports. Areas for improvement include ability to bridge differences and combine input of different groups and quality of interaction at meetings. We will make deliberate efforts to improve performance on these ratings in the future.



Range: 1 = Most negative, 5 = Most positive.

## Projected & Observed Timelines

The following Gantt chart depicts both projected and observed timelines.

	2006				2007							
TASK	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
ID Stakeholders	P	X				O	O	O	O			
Assess goals		P				O	O	O	O			
Baseline education		P	P			O	O					
Consensus & strat plan				P	P	X	X	X	O			
Research & review plan					P	X	X	X	X			
Final report preparation									X	X		
Quarterly meetings		P			P	O	O	X	O	P		
Ongoing consultation w/ members		P	X	X	X	X	X	X	X	X		
Submit reports to funders	P	X	X	X	X	X	X	X	X	X		Final to Gen Assem

KEY: P-projected only, O-observed only, X-both projected and observed.

As can be seen in the chart, there was a delay in initial project start-up. Although the funder notified the appropriate university official of the award, the official failed to notify the Project Director of the funder's contact. The notification delay resulted in start-up being timed around winter holidays, so in consultation with the funder, we chose to defer the first meeting of the VSCC until early February. This did not present major challenges, in that the timeline had sufficient flexibility to accommodate changes. Projected tasks were accomplished and exceeded in the remaining months; that is, the VSCC held more meetings than projected, and VSCC activities extended beyond mere planning to actual implementation of plans through development of active workgroups and draft legislation. Further, the pace of monthly meetings seemed judicious to the tasks at hand, helping to maintain motivation and spirited discussion within the newly formed VSCC.

## Assessment of Fiscal Expenditures

Overall expenditures were roughly analogous to those projected, with some re-budgeting across categories to accommodate billing practices (e.g., direct billing of sleeping rooms re-classified as "contractual" versus "travel"). There was also some re-allocation to accommodate sponsor-approved activities (e.g., excess in-state mileage funds were used to support safety-&-accountability-audit training).

In the future, we would maintain a budget similar to the final budget for this fiscal year, including small blocks of funds for consultation and technical assistance (e.g., to bring in national experts on topics of interest). The primary budget change would be added personnel time. We found that the number of VSCC meetings necessary to maintain group momentum and accomplish tasks, as well as emerging task demands and communication with VSCC members/workgroups between meetings, required substantially greater time commitment from the Project Director than had been projected.

## Barriers & Lessons Learned

Few major barriers have been encountered in implementation of the project during this fiscal year. Time delays and budgetary refinements were not difficult to address. A primary barrier in any project requiring participation from diverse and philosophically disparate groups involves day-to-day politics. We have attempted to address disruptions arising from such sources by maintaining a balanced approach, swift response to concerns, and tenacious follow-up to ensure solution-focused discussions and open lines of communication. When conflicts have arisen, we have made purposeful efforts to keep all parties engaged, heard, and respected in order to promote consensus and inclusion versus divisiveness or exclusion of dissent. The fact that decisions advanced in this report



were reached unanimously by the 17-member VSCC is testimony to the effectiveness of these techniques.

## RECOMMENDATIONS

1. It is recommended that the General Assembly establish permanence and structure of a 20-member SC Victim Service Coordinating Council as proposed by the current VSCC (Appendix B).
2. It is recommended that the General Assembly adopt additional legislative changes proposed by the VSCC regarding certification standards (Appendix B), compensation (Appendix C), and forwarding of victim information (Appendix D).
3. It is recommended that the General Assembly dissolve the Victim Advocate Policy Committee and transfer any remaining functions to the Commission on Prosecution Coordination.
4. It is recommended that the General Assembly amend the audit proviso as recommended by the SC Legislative Audit Council to a) require that the Office of the State Auditor notify the State Office of Victim Assistance and South Carolina Court Administration of all completed court audit reports; b) allow input from the State Office of Victim Assistance, the State Treasurer's Office and South Carolina Court Administration in the audit selection process; c) authorize the State Office of Victim Assistance and South Carolina Court Administration to follow up to ensure that deficiencies found in court audits are corrected; and d) authorize the State Office of Victim Assistance to conduct programmatic reviews of victim services agencies.
5. It is recommended that the SC State Office of Victim Assistance, in consultation with the VSCC, apply for a federal award to support safety and accountability audits.

## APPENDIX A: VSCC MEMBER BIOS

**Nancy Barton** is the Executive Director of Sistercare, a domestic violence program serving battered women and their children in Richland, Lexington, Kershaw, Fairfield, and Newberry counties. She holds a Master of Social Work degree from Virginia Commonwealth University and is a marriage and family counselor. Ms. Barton has been professionally involved in women's issues for over twenty years and has experience with women's services, management of human service programs, and counseling with families, couples, and individuals. She has served on the Governor's Task Force Against Domestic Violence and been a member of the board of directors of the SC Coalition Against Domestic Violence and Sexual Assault. Ms. Barton has testified as an expert witness in criminal proceedings involving battered women, spoken on the issue of violence against women, and testified before legislative committees.

**William D. Bilton, Esq.**, is the Executive Director of the South Carolina Commission on Prosecution Coordination. He received his B.A. degree in political science from the University of South Carolina in 1979 and his J.D. degree from the University of South Carolina School of Law in 1987. He was admitted to the SC Bar that same year and has been admitted to practice before the United States District Court of South Carolina. Prior to working with the Commission, Mr. Bilton worked as a research analyst for the Office of Senate Research for the SC Senate and was employed as an Assistant Solicitor for the Fifth Judicial Circuit from 1987-1991. Mr. Bilton graduated from the Federal Law Enforcement Training Center for "Advanced Arson for Profit for State Prosecutors" in 1989. He is a current member of the National District Attorneys Association and the Richland County Bar Association. He is a member of the National Association of Prosecutor Coordinators and served as President from 1997-98.

**M. Hope Blackley** began her work in victim services in 1997 as a victim advocate with the 7th Circuit Solicitor's Office in Spartanburg County. While assisting victims of crime in the 7th circuit, children of sexual abuse were the primary focus of Ms. Blackley's duties. Ms. Blackley was appointed by Governor Sanford in October of 2004 for the Crime Victims' Ombudsman post. She formerly served as the Solicitors' Advocate Forum vice-president and chairman of the Solicitors' Advocate Forum conference committee. Ms. Blackley has conducted numerous trainings and presentations throughout the state, with an upcoming training funded by the SC Department of Public Safety, Office of Justice, with emphasis on the upstate which will encompass the 7th, 8th, 10th, and 13th Circuits. She currently serves as a member of the South Carolina Victim Assistance Network (SCVAN) Board; RAYS of Light, Inc. Board; Parents of Murdered Children (POMC) Community Advisory Board; South Carolina Department of Probation, Parole, and Pardon Services (SCDPPP) Victims Advisory Council; South Carolina Victim Assistance Academy (SCVAA)

Steering Committee; and Mothers Against Drunk Driving (MADD) SC State Operations Council; as well as being a certified MADD victim's advocate.

**Vicki Bourus, MSW, LISW**, is currently serving as the Executive Director of SCCADVASA (South Carolina Coalition Against Domestic Violence and Sexual Assault). Vicki is a licensed, master's prepared social worker and has worked extensively with victims of domestic and sexual assault and child abuse. She has been involved in providing services to and advocating for victims of domestic and sexual assault since 1986 and has provided both consultation and training to law enforcement officers, medical and legal professionals, and social workers in the identification, assessment, and treatment of victims of both sexual and domestic violence and other related issues. She served on the Domestic Violence Task Force of the SC Criminal Justice Academy in 1987-88 and was nominated for a "Woman of Achievement" Award from the SC Commission on Women in 1991. Vicki received a bachelor's degree from the University of Georgia and a master's degree in social work from the University of South Carolina. Vicki is married and has two sons, ages 27 and 30, and four grandchildren.

**Colleen Campbell Bozard** is a master's level graduate from Long Island University in Community Mental Health and has over twenty-three years' leadership experience in the non-profit field, working with boards, as an Executive Director, and as a consultant in many capacities, predominantly in the field of family violence. Colleen has also worked as lead consultant for non-profit and government agencies in the states of South Carolina, Florida, Georgia, and Missouri in the areas of organizational development, community partnerships, strategic planning, meeting facilitation, staff and board development, training and education, program development, needs assessment, interim leadership, and technical assistance. She has been instrumental in facilitating a number of community partnerships in planning and evaluation, provided key leadership in needs assessment development, and orchestrated comprehensive organizational planning. Colleen has written a wide range of training curricula, and facilitated training sessions for a variety of audiences, including non-profit staff, Board members, community groups, parents, governmental leaders, and corporate employees.

**Marvin M. Bryant, Sr.**, and his wife, Algie, helped to found the SC Chapter of Parents Of Murdered Children (POMC), Inc., after their youngest son, Marcus "Patrick" Bryant, 21, was murdered on April 12, 2001. Since that time, they have provided support to many families throughout South Carolina, including providing grieving information for homicide survivors, assisting families with understanding the criminal justice process and connecting with victim advocates, informing survivors about their rights, providing monthly support groups, and sponsoring special remembrances and events. Recently SC POMC has joined the United Methodist Church SC Annual Council on Ministries and has sponsored workshops for the clergy in July 2004 and March 2005. Mr. Bryant has been active in victims' rights events including SC Victims Rights

Week Conferences, OVC Roundtable Discussions, the National Victim Assistance Academy, and other state and national conferences and trainings. Mr. Bryant was re-elected for a three-year term to POMC Board of Trustees in 2006. He is employed as a Chief Mental Health Counselor at Columbia Area Mental Health Center's Child, Adolescent, & Family Services Division. He has implementation and supervisory responsibility for the Multisystemic Therapy Program and supervises school-based mental health counselors who provide services to students. He is a Licensed Master Social Worker, member of the NASW Academy of Certified Social Workers and a member of South Carolina Society of Certified Public Managers. Bryant, a seasoned clinician with over 28 years' experience in psychiatry, mental health, and child welfare services, received his master's degree in social work in 1990 and holds a Bachelor of Arts degree in interdisciplinary studies from the University of South Carolina. He is an active member of Ridgewood Missionary Baptist Church since 1973 and serves as a deacon.

**Dottie Cronise**, a South Carolina native, is a 1974 graduate of the University of South Carolina with a Bachelor of Arts in psychology. She began her law enforcement career with the Richland County Sheriff's Department in August 1974. In January 1979, Dottie went to work as an agent with the SC State Law Enforcement Division assigned to the Governor's Executive Protection Detail. She was presented the Order of the Palmetto from Governor Riley in 1986. After ten years as an agent, she was promoted to the rank of lieutenant, and from 1989 until January 2001 she served as the Supervisory Special Agent of the Missing Person Information Center, Intelligence and Case Files Units. She also supervised the DARE Unit during that time. Retiring in January of 2001, Dottie came back in August 2003 to the Richland County Sheriff's Department, where she is currently assigned to the Criminal Investigative Division, Missing Persons Investigations, and also Victim Assistance Unit, where she serves as liaison with diverse communities for victims of crime. She is currently the President of the South Carolina Law Enforcement Victim Advocates Association.

**Barbara W. Grissom** is the Director of the Division of Victim Services for the South Carolina Department of Corrections. She is a graduate of Winthrop College and has an extensive background in community development and program management. She has served in management consulting positions with the South Carolina Arts Alliance and staff leadership positions with United Way and in the South Carolina Energy Office. Since Barbara joined the South Carolina Department of Corrections in 1989, she developed a new computer-based victim registration program and automated the case management process, designed an automated telephone notification system and a telephone inquiry service for the public, expanded the victim service base, and worked for confidentiality legislation for victims. In August 1998, Barbara was recognized by the American Correctional Association with an Award of Excellence. Barbara introduced the Impact of Crime Program for inmates and developed a nationally replicated workshop and accompanying guidebook

on workplace stalking. Barbara was named Chairperson of the first Southern States Correctional Association's Victims Committee in January 1999. Barbara has served on the South Carolina Crime Victims' Advisory Board, Board of the SC Victim Assistance Network, the American Correctional Association's Victim Committee, the Governor's Advisory Victim Services Coordinating Committee, and on the Board of Standards and Certification for Victim Assistance, as well as representing the SC Department of Corrections on numerous advisory committees. She has provided on-site technical assistance to the departments of corrections in Georgia, Illinois, and Florida and has consulted with the National Institute of Corrections and the National Center for Victims of Crime on national training products.

**Dean G. Kilpatrick, Ph.D.**, is a Distinguished University Professor in the Department of Psychiatry and Behavioral Sciences and Director of the National Crime Victims Research and Treatment Center at the Medical University of South Carolina. Dr. Kilpatrick received his Ph.D. in clinical psychology from the University of Georgia. His primary research interests include measuring the prevalence of rape, other types of violent crime, terrorism, and natural disasters, as well as assessing the mental health impact of such events. His epidemiological research has been funded by numerous agencies including the National Institute of Mental Health, the National Institute on Drug Abuse, the National Institute of Justice, and the Centers for Disease Control and Prevention. He and his colleagues have conducted epidemiological studies of numerous disasters including the Loma Prieta earthquake, Hurricanes Andrew and Hugo, the 2004 hurricanes in Florida, the Pan Am 103 terrorist bombing, and the 2001 terrorist attacks on the World Trade Center in New York. He is currently President of the International Society for Traumatic Stress Studies and director of the NIMH-funded Disaster Research and Mentoring Center.

**Surleaner Lakin, MA, CVAS**, currently serves as the Victim Services Program Coordinator for the South Carolina Department of Juvenile Justice. Her duties include providing technical and programmatic assistance to agency staff that provide direct services to juvenile crime victims; reviewing/auditing records for policy compliance; developing and distributing victim awareness materials; and directing the design, implementation, monitoring, and evaluation of a statewide Victim Services and Comprehensive Assistance In Response to Employees (CARE) program. Ms. Lakin has over 22 years of experience in the juvenile justice field. Her previous positions include county director, juvenile probation officer, juvenile intake officer, and juvenile correctional officer.

**Ashlie Lancaster** is a native of Spartanburg, South Carolina. She is a graduate of USC-Spartanburg with a Bachelor of Arts degree in political science. In 1994, she moved to Columbia to enter the master's program at the University of South Carolina where she received her Master of Arts in political science in 1998. She is married with two children – Carter, age 4, and Emily, age 12. Ashlie worked for the Governor's Office under Governor Beasley as a staff writer. She

remained through Governor Hodges' administration in charge of proclamations and shortly thereafter became Constituent Services Coordinator of both the Ombudsman office and the Children's Case Resolution System. In May 2005, she was appointed by Governor Sanford as Director of the Office of Economic Opportunity and in December 2005, she was named Director of the State Office of Victim Assistance. Ashlie is a 2002 graduate of the Governor's EXCEL Leadership Program and serves on the Office on Aging Coordinating Council and Long Term Care Council, the Interagency Council on Homelessness, the SC Impaired Driving Prevention Council, and the State Citizen Corps Council. She is also a member of the SC Interagency Coordinating Council for Hazard Mitigation and the SC Recovery Planning Advisory Committee.

**Barbara Jean (B.J.) Nelson** is the Administrator for the Victims of Crime Act Programs (Victims of Crime Act – VOCA, State Victims Assistance Program – SVAP, and the Violence Against Women Act – VAWA) in the Office of Justice Programs at the South Carolina Department of Public Safety. She has served in this capacity for the past 20 years. BJ has served on various victim-related committees, and recently was elected to the National Association of VOCA Assistance Administrators.

**Tricia H. Phaup, LMSW**, currently serves as the Director of the Department for Sexual Health & Violence Prevention at the University of South Carolina (USC). She also conducts campus-wide sexual health, STD/HIV, relationship violence, and sexual assault educational programs, and provides crisis intervention, as well as ongoing services for survivors of sexual assault and relationship violence. She has facilitated numerous presentations and trainings including programs for the Sexual Trauma Services of the Midlands, the SC Office of the Attorney General, the SC Coalition Against Domestic Violence and Sexual Assault, the Center for Child and Family Studies, the First International SANE Conference, and the Department of Justice Campus Programs to Reduce Violent Crimes Against Women on College Campuses. Tricia currently chairs the Richland County Sexual Assault Response Team (SART) and has been instrumental in developing and maintaining the organization structure in collaboration with other community partners. Tricia provides consultation for colleges and universities in SC on how to establish campus sexual assault and relationship violence programs and policies. She has provided consultation to Clemson University, Columbia College, Benedict University, and is currently working with Furman University. Tricia obtained her BA degree in psychology from the University of South Carolina and her Master's degree in social work from the University of Pennsylvania. She is a licensed Master of Social Work in SC.

**Robert G. “Bob” Rightsell** is Director of Victim Services in the 11th Circuit Solicitor's Office and oversees the work of five other staff positions within that division, as well as providing direct services to victims. He has a keen interest in legislation affecting the provision of services. In 1993, he served on the committee that wrote a proposal to create an office of Crime Victims'

Ombudsman in the state. It became law in 1994. In 1996, Rightsell formed and led a statewide task force of representatives of all criminal justice agencies and non-governmental victim service organizations, which wrote a proposal to delineate the duties of each agency with respect to victim services. This proposal became law in 1997. Prior to that, only Solicitors' offices were required to provide services. He monitors legislation and is frequently called upon to testify before subcommittees of the House and Senate. Before joining the Solicitor's Office more than 22 years ago, he was involved in broadcast journalism for approximately 23 years, serving as reporter and anchor at several radio stations and a statewide network in South Carolina. Rightsell holds a BA in Journalism from the University of South Carolina.

**Veronica L. Swain** has served as the Chief Executive Officer for the South Carolina Victim Assistance Network (SCVAN) since 2000. Prior to her work with SCVAN, she served as Chief Assistant to the Chief of Criminal Prosecution, Bill Gambrell, under Attorneys General Medlock and Condon. She managed the Statewide Grand Jury (which prosecutes multi-jurisdictional drug conspiracy, public corruption, and pornography cases) and the Death Penalty Divisions of the Attorney General's Office. She formerly worked for Boyd, Knowlton, Tate and Finley (currently Haynesworth, Sinkler, & Boyd) and the McNair Law Firm. Ms. Swain chairs MADD SC's Victim Services Committee, and serves on Board of Directors of Parents Of Murdered Children Advisory Committee; SC Department of Probation, Parole, and Pardon Victim Advisory Board; Fight Crime Invest in Kids National Advisory Board; and is an Associate Member of the SC Law Enforcement Victim Advocate Association. Ms. Swain serves on Leadership Columbia and Colleton's Speaker's Board, and is a guest instructor for the University of South Carolina, SC Criminal Justice Academy, and South University. A survivor of childhood sexual abuse and family violence, Ms. Swain is the mother of two grown children, and seeks to advance the rights of crime victims as a lifetime mission.

**Sandi S. Wofford** served as Executive Vice President for Citizens Against Violent Crimes (CAVE) from 1984 -1988, an organization which she also co-founded. Ms. Wofford was appointed to the SC Crime Victims Compensation Board in 1987-1988; she was awarded the Order of the Palmetto in 1987. She worked as the State Victim Assistance Coordinator from 1997 through 1998 and from that time till present has been the Director of Victim Assistance with the Office of SC's Attorney General.

**Anne W. Wolf** serves as the Director of Victim Services for the SC Department of Probation, Parole and Pardon Services. She has been in the victim services profession for more than twenty years and has experience in several disciplines within the profession. Anne completed the National Victim Assistance Academy in 2001 and is a graduate of the Governor's EXCEL Leadership Institute. Anne has an extensive background in public speaking on the local, state, and national levels. She has served on the Board of Directors for the SC Victim Assistance Network and was a

faculty member for the inaugural SC Victim Assistance Academy. She continues to serve on the curriculum committee for the SC Victim Assistance Academy. Additionally, she serves on the Certification Review Board for the Governor's Office of Small and Minority Business Assistance as well as the State Operations Council for Mothers Against Drunk Driving.



## APPENDIX B: PROPOSED STANDARDS LEGISLATION

### ARTICLE 14.

#### VICTIM/~~WITNESS~~ ASSISTANCE PROGRAM

##### SECTION 16-3-1400. Definitions.

For the purpose of this article, "witness" means any person who has been or is expected to be summoned to testify for either the prosecution or the defense or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution or defense, whether or not any action or proceeding has yet been commenced. **For the purpose of this article, "victim service provider" means any person charged through their job description with providing direct services to victims of crime.**

##### SECTION 16-3-1410. Victim/~~witness~~ assistance programs; responsibilities of ~~Victim Compensation Fund~~ **the State Office of Victim Assistance.**

The ~~Victim Compensation Fund~~ **State Office of Victim Assistance** is authorized to provide the following victim assistance services, contingent upon ~~an appropriation of funds therefor by the General Assembly~~ **the availability of funds:**

(A) Provide information, training, and technical assistance to state and local agencies and groups involved in victim/witness and domestic violence assistance, such as the Attorney General's Office, the solicitors' offices, law enforcement agencies, judges, hospital staff, rape crisis centers, and spouse abuse shelters.

(B) Provide recommendations to the Governor and General Assembly on needed legislation and services for victims.

(C) Serve as a clearinghouse of victim/witness information.

~~(D) Develop guidelines for the implementation of victim/witness assistance programs.~~

(E) Develop ongoing public awareness and programs to assist victims, such as newsletters, brochures, television and radio spots and programs, and news articles.

(F) Provide staff support for a ~~state-level advisory group~~ **Victim Service Coordinating Council** representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts, **suggest policy and procedural improvements to those agencies and groups as needed, and recommend needed statutory changes to the General Assembly.** **The Victim Service Coordinating Council shall consist of twenty members as follows: the Director or his designee from the following agencies – State Office of Victim Assistance; South Carolina Department of Probation, Parole and Pardon Services; South Carolina Department of Corrections; South Carolina Department of Juvenile Justice; the South Carolina Commission on Prosecution Coordination; the Governor's Crime Victims' Ombudsman; the South Carolina Sheriff's Association; Solicitors' Advocate Forum; Law Enforcement Victim Advocate Association; South Carolina Coalition Against Domestic**

Violence and Sexual Assault; the Attorney General or his designee; the Administrator or his designee of the Office of Justice Programs (DPS); three representatives appointed by the State Office of Victim Assistance for a term of two years and until his successor is appointed and qualified for each of the following categories – one representative of university/campus services, one representative of a statewide crime victim organization, one representative of a statewide child advocacy organization, and one crime victim; and four at-large seats elected upon two-thirds vote of the other thirteen members of the Victim Services Coordinating Council for a term of two years and until his successor is appointed and qualified, at least one of whom must be a crime victim and two of which must be representatives of community-based non-governmental organizations. The Council shall meet at least four times per year.

(G) Coordinate the **continued** development and implementation of policy and guidelines for the treatment of victims/witnesses with appropriate agencies; ~~with initial emphasis in the following three areas:~~

~~(1) The State Victim/Witness Program shall work with the solicitors of this State, the Attorney General's Office, and relevant professional organizations to develop guidelines for solicitors to follow in the handling of victims, to include but not be limited to:~~

~~(a) Periodically informing victims of the status of a case.~~

~~(b) Providing information to the court on the views of victims of violent crime on bail decisions, continuances, plea bargains, dismissals, sentencing, and restitution.~~

~~(c) Pursuing charges of defendants who harass, threaten, injure, or otherwise attempt to intimidate or retaliate against victims or witnesses.~~

~~(d) Utilizing a victim and witness on-call system.~~

~~(e) Developing procedures for the prompt return of victims' property.~~

~~(f) Considering the views of victims and witnesses concerning the use of case continuances.~~

~~(g) Informing the solicitors' offices about victim assistance units and their effectiveness.~~

~~(h) Informing victims of the availability of civil as well as criminal redress.~~

~~(2) The State Victim/Witness Program shall assist the Office of Court Administration and South Carolina Sentencing Guidelines Commission in developing guidelines for all judges to follow in the handling of victims, to include but not be limited to:~~

~~(a) Scheduling of court proceedings and an on-call notification system.~~

~~(b) Separate waiting rooms for prosecution and defense witnesses.~~

~~(c) Special weight for victim's interests when considering requests for continuances.~~

~~(d) Special weight must be given to the victim's interest in speedy return of property before trial in ruling on the admissibility of photographs of that property.~~

~~(c) Child sexual assault/incest victims must be given practical legal support by allowing them videotape, legal transcript, or closed session testimony.~~

~~(3) The State Victim/Witness Program shall work with the appropriate law enforcement officers' associations and other relevant organizations to develop guidelines and model policies for law enforcement agencies to utilize in handling and working with victims of crime.~~

**SECTION 16-3-1420. Director.**

The Director of the State Victim/~~Witness~~ Assistance Program is the Director of the South Carolina ~~Victim's Compensation Fund~~ **State Office of Victim Assistance**.

**SECTION 16-3-1620. Crime Victims' Ombudsman of the Office of the Governor.**

**(C) There is created within the Crime Victims' Ombudsman of the Office of the Governor the Office of Victim Services Education and Certification that will:**

**(1) Provide oversight of training, education, and certification of victim assistance programs;**

**(2) With approval of the Victim Services Coordinating Council, promulgate training standards and requirements;**

**(3) Approve training curricula for credit hours toward certification;**

**(4) Provide victim service provider certification;**

**(5) Maintain records of certified victim service providers;**

**(D) Public victim assistance programs will ensure that all victim service providers employed in their respective offices are certified through the Office of Victim Services Education and Certification within the Office of the Crime Victims' Ombudsman.**

**(2) Private, non-profit programs shall ensure that all victim service providers in these nonprofit programs are certified by the Victim Service Coordinating Council-approved certification program. Victim Service Coordinating Council approval shall include review of the program to ensure that requirements are commensurate with the certification requirements for public victim assistance service providers.**

**(3) Victim service providers, serving in public or private non-profit programs, employed on the effective date of this chapter are exempt from basic certification requirements but must meet annual continuing education requirements to maintain certification. Victim service providers, serving in public or private nonprofit programs, employed after the effective date of this chapter are required to complete the basic certification requirements within one year from the date of employment and to meet annual continuing education requirements to maintain certification throughout their employment.**

**SECTION 16-3-1680. Promulgation of regulations.**

The Crime Victims' Ombudsman of the Office of the Governor may promulgate those regulations necessary to assist it in performing its required duties as provided by this chapter.

## APPENDIX C: PROPOSED COMPENSATION LEGISLATION

**SECTION 16-3-1180.** Amount of award; apportionment among multiple claimants; rejection of application for award.

(A) An award may be made for:

(1) reasonable and customary charges as periodically determined by the board for medical services, including mental health counseling, required and rendered as a direct result of the injury on which the claim is based, as long as these services are rendered by a licensed professional. Payment for mental health counseling is limited to the number of sessions during a one hundred eighty-day-period beginning on the date of the first counseling session or twenty sessions, whichever is greater; **upon recommendation of the Director, the board can authorize up to five additional counseling sessions at various times throughout the criminal justice process based on documented need not to exceed the maximum benefit for that claim; if a victim's medical bills, excluding counseling, exceed the maximum benefit, the board may approve five counseling sessions over the maximum benefit based on documented need.**

(2) reasonable and customary charges as periodically determined by the board for other services required and rendered as a direct result of the injury upon which the claim is based, as long as the service is rendered by a professional or paraprofessional who holds a license, certificate, or other documentary evidence of specific training and qualification in a field of service which, by regulation, the board recognizes as a service required by and beneficial to crime victims;

(3) loss of earning or support, provided that:

(a) claimant is deprived of that income for at least two consecutive weeks;

(b) the loss is not reimbursable;

(c) the amount may not exceed the maximum rate provided in Section 42-1-50;

(d) conditions (a), (b), and (c) may be waived in severe hardship cases;

(4) reasonable and customary charges for employment-oriented retraining or rehabilitative services incurred as a direct result of the injury; and

(5) burial expenses not to exceed four thousand dollars.

(B) If there are two or more family members as specified in Section 16-3-1210(c) who are entitled to an award as a result of the death of a person, the award must be apportioned among the claimants; however, the amount awarded for burial expenses must be paid to or on behalf of the person who has paid or is responsible for that expense.

(C) The aggregate of award to and on behalf of victims may not exceed fifteen thousand dollars unless the Crime Victim's Advisory Board, by two-thirds vote, and the director concur that extraordinary circumstances exist. In this case, the award may not exceed twenty-five thousand dollars.

(D) An award may be made only if and to the extent that the amount of compensable loss exceeds one hundred dollars; however, this limitation may be waived in the interest of justice and must be waived upon a showing that the claimant is at least sixty-five years old.

(E) A previously decided award may be reopened for the purpose of increasing the compensation previously awarded, subject to the maximum provided in this article. In this case the State Office of Victim Assistance shall send immediately to the claimant a copy of the notice changing the award. This review may not affect the award as regards any monies paid, and the review may not be made after eighteen months from the date of the last payment of compensation pursuant to an award under this article unless the director determines there is a need to reopen the case as specified in Section 16-3-1120(4).

**SECTION 16-3-1230.** Claim filed on behalf of minor or incompetent; time limitations.

(1) A claim may be filed by a person eligible to receive an award, as provided in Section 16-3-1210, or, if the person is an incompetent or a minor, by his parent or legal guardian or other individual authorized to administer his affairs.

(2) A claim must be filed by the claimant not later than one hundred eighty days after the latest of the following three events:

(a) the occurrence of the crime upon which the claim is based;

(b) the death of the victim; or

(c) the discovery by the law enforcement agency that the occurrence was the result of crime. Upon good cause shown, the time for filing may be extended for a period not to exceed four years after the occurrence or death. "Good cause" for the above purposes includes reliance upon advice of an official victim assistance specialist who either misinformed or neglected to inform a victim of rights and benefits of the Victim's Compensation Fund but does not mean simply ignorance of the law.

(3) Claims must be filed in the office of the Director by conventional mail, **facsimile**, in person, **or through any other electronic submission mechanism approved by the Director**. The Director shall accept for filing all claims submitted by persons eligible under subsection (1) of this section and meeting the requirements as to the form of the claim contained in the regulations of the Board.

## APPENDIX D: PROPOSED CHANGES TO BILL 3129

### A BILL

TO AMEND SECTION [14-1-206](#), [14-1-207](#), [14-1-208](#), AND [14-1-211](#), ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADDITIONAL ASSESSMENTS AND SURCHARGES ON FINES FROM CERTAIN COURTS, ALL SO AS TO STIPULATE THAT THE FUNDS GENERATED FOR USE FOR SERVICES FOR VICTIMS OF CRIME MAY NOT BE USED FOR CERTAIN OTHER LAW ENFORCEMENT PURPOSES; TO AMEND SECTION [16-3-1520](#), RELATING TO VICTIM ASSISTANCE AND THE TYPES OF INFORMATION A VICTIM IS ENTITLED TO RECEIVE, SO AS TO REQUIRE LAW ENFORCEMENT TO PREPARE A VICTIM INFORMATION SHEET FOR EVERY VICTIM INVOLVED IN A CRIMINAL ACT AND TO PRESCRIBE THE INFORMATION THAT MUST BE CONTAINED ON THE VICTIM INFORMATION SHEET; AND TO REPEAL ARTICLE 14, CHAPTER 3, TITLE 16 RELATING TO THE VICTIM/WITNESS ASSISTANCE PROGRAM.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section [14-1-206](#)(D) of the 1976 Code, as last amended by Act 105 of 1999, is further amended to read:

"(D) The revenue retained by the county ~~under~~ pursuant to subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15 of Title 16. These funds may not be used for law enforcement activities or purposes including police equipment and training or for the difference in employer contributions between the South Carolina Retirement System and the Police Officers Retirement System. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years."

SECTION 2. Section [14-1-207](#)(D) of the 1976 Code, as last amended by Act 105 of 1999, is further amended to read:

"(D) The revenue retained by the county ~~under~~ pursuant to subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15 of Title 16. These funds may not be used for law enforcement activities or purposes including police equipment and training or for the difference in employer contributions between the South Carolina Retirement System and the Police Officers Retirement System. All unused

funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years."

SECTION 3. Section [14-1-208](#)(D) of the 1976 Code, as last amended by Act 105 of 1999, is further amended to read:

"(D) The revenue retained by the municipality ~~under~~ pursuant to subsection (B) must be used for the provision of services for the victims of crime including those required by law. These funds must be appropriated for the exclusive purpose of providing victim services as required by Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Article 15 of Title 16. These funds may not be used for law enforcement activities or purposes including police equipment and training or for the difference in employer contributions between the South Carolina Retirement System and the Police Officers Retirement System. All unused funds must be carried forward from year to year and used exclusively for the provision of services for victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years."

SECTION 4. Section [14-1-211](#)(B) of the 1976 Code, as last amended by Act 390 of 2000, is further amended to read:

"(B) The revenue collected pursuant to subsection (A)(1) must be retained by the jurisdiction which heard or processed the case and paid to the city or county treasurer, for the purpose of providing services for the victims of crime, including those required by law. Any funds retained by the county or city treasurer pursuant to subsection (A)(1) must be deposited into a separate account for the exclusive use for all activities related to the requirements contained in this provision. For the purpose of funds allocation and expenditure, these funds are a part of the general funds of the city or county. These funds must be appropriated for the exclusive purpose of providing victim services as required by Chapter 3, Article 15 of Title 16; specifically, those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. First priority must be given to those victims' assistance programs which are required by Chapter 3, Article 15 of Title 16 and second priority must be given to programs which expand victims' services beyond those required by Chapter 3, Article 15 of Title 16. These funds must be used for, but are not limited to, salaries, equipment that includes computer equipment and internet access, or other expenditures necessary for providing services to crime victims. These funds may not be used for law enforcement activities or purposes including police equipment and training or for the difference in employer contributions between the South Carolina Retirement System and the Police Officers Retirement System. All unused funds must be carried forward from year to year and used exclusively for the provision of services to the victims of crime. All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years. The revenue collected pursuant to subsection (A)(2) must be paid over to the State Treasurer monthly and placed in a separate account to be used for spinal cord research by the Medical University of South Carolina.

All one-time operating and administrative costs for municipal and county governments related to computer upgrades or programming related to these surcharges shall be deducted from the revenue collected pursuant to subsection (A)(2) by municipal and county governments before remission of these funds to the State



Treasurer. All operating, personnel, and administrative costs and expenses of the Spinal Cord Injury Research Board and its programs as established in Article 5, Chapter 38 of Title 44, must be paid for through revenue collected pursuant to subsection (A)(2) and deposited in this separate account. A report detailing the use of these funds must be furnished to the General Assembly on an annual basis."

SECTION 5. Section [16-3-1520](#) of the 1976 Code is amended by adding an appropriately designated subsection at the end to read:

"() Law enforcement must prepare a victim information sheet for every victim involved in a criminal act. This information sheet must contain the defendant's name and the warrant number, the victim's name, mailing address, and telephone number. In the case of a victim who is deceased, incompetent, or a minor, the name of a responsible party, along with mailing address and telephone number must be included. The victim information sheet must be attached to the:

- (1) served warrant when it is returned to the summary court;
- (2) warrant or warrant copy when it is transmitted from the summary court to the clerk of court; and
- (3) warrant copy when it is transmitted from the clerk of court to the solicitor's office;

**Upon conviction of the offender, a copy of the victim information sheet must be forwarded to the receiving authority."**

SECTION 6. Article 14, Chapter 3, Title 16 of the 1976 Code is repealed.

SECTION 7. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 8. This act takes effect upon approval by the Governor.

## APPENDIX E: LETTERS TO THE GENERAL ASSEMBLY

June 11, 2007

The Honorable Daniel T. Cooper  
Chairman, House Ways & Means Committee  
525 Blatt Building  
Columbia, SC 29211

Dear Chairman Cooper,

I am writing on behalf of the SC Victim Service Coordinating Council (VSCC). The VSCC is part of the State Office for Victim Assistance's mandate to provide "support for a state-level advisory group representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts" (Title 16, Article 14 of the SC Code of Laws). Recently, the VSCC reviewed recommendations made in the March 2007 report by the SC General Assembly's Legislative Audit Council, "An Overview of Victim Services in South Carolina." We are writing to inform you of our endorsement of several recommendations of that report. The first addresses dissolution of the Victim Advocate Policy Committee:

*"1. The General Assembly should dissolve the Victim Advocate Policy Committee, determine which of its functions remain necessary, and transfer those responsibilities to the Victim Services Coordinating Council or the Commission on Prosecution Coordination" (p.22).*

There was unanimous consensus from the VSCC that these duties would be more appropriately situated within the Commission on Prosecution Coordination (CPC). Thus, it is the recommendation of the VSCC that the Victim Advocate Policy Committee be dissolved and remaining functions be transferred to the CPC.

Other recommendations pertained to amendments of the audit proviso (p.31):

*"5. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to require that the Office of the State Auditor notify the State Office of Victim Assistance and South Carolina Court Administration of all completed court audit reports.*

*6. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to allow input from the State Office of Victim Assistance, the State Treasurer's Office and South Carolina Court Administration in the audit selection process. If no input is received, a random selection process should be used.*

*7. The General Assembly should authorize the State Office of Victim Assistance and South Carolina Court Administration to follow up to ensure that deficiencies found in court audits are corrected.*

*8. The General Assembly should authorize the State Office of Victim Assistance to conduct programmatic reviews of victim services agencies."*

The VSCC unanimously supported these recommendations.

We encourage you to incorporate all of the aforementioned recommendations in the FY 08-09 General Appropriations Bill. Thank you in advance for your consideration of our request. Please feel free to contact me with questions or if further information is needed.

Sincerely,

Dana DeHart, Ph.D.  
Project Director  
SC Victim Service Coordinating Council

Phone: 803-777-7867  
E-mail: [dana.dehart@sc.edu](mailto:dana.dehart@sc.edu)

CC : Mark Sanford  
CC : Hugh Leatherman

June 11, 2007

The Honorable Hugh K. Leatherman  
Chairman, Senate Finance Committee  
111 Gressette Building  
Columbia, SC 29202

Dear Chairman Leatherman,

I am writing on behalf of the SC Victim Service Coordinating Council (VSCC). The VSCC is part of the State Office for Victim Assistance's mandate to provide "support for a state-level advisory group representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts" (Title 16, Article 14 of the SC Code of Laws). Recently, the VSCC reviewed recommendations made in the March 2007 report by the SC General Assembly's Legislative Audit Council, "An Overview of Victim Services in South Carolina." We are writing to inform you of our endorsement of several recommendations of that report. The first addresses dissolution of the Victim Advocate Policy Committee:

*"1. The General Assembly should dissolve the Victim Advocate Policy Committee, determine which of its functions remain necessary, and transfer those responsibilities to the Victim Services Coordinating Council or the Commission on Prosecution Coordination" (p.22).*

There was unanimous consensus from the VSCC that these duties would be more appropriately situated within the Commission on Prosecution Coordination (CPC). Thus, it is the recommendation of the VSCC that the Victim Advocate Policy Committee be dissolved and remaining functions be transferred to the CPC.

Other recommendations pertained to amendments of the audit proviso (p.31):

*"5. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to require that the Office of the State Auditor notify the State Office of Victim Assistance and South Carolina Court Administration of all completed court audit reports.*

*6. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to allow input from the State Office of Victim Assistance, the State Treasurer's Office and South Carolina Court Administration in the audit selection process. If no input is received, a random selection process should be used.*

*7. The General Assembly should authorize the State Office of Victim Assistance and South Carolina Court Administration to follow up to ensure that deficiencies found in court audits are corrected.*

*8. The General Assembly should authorize the State Office of Victim Assistance to conduct programmatic reviews of victim services agencies."*

The VSCC unanimously supported these recommendations.

We encourage you to incorporate all of the aforementioned recommendations in the FY 08-09 General Appropriations Bill. Thank you in advance for your consideration of our request. Please feel free to contact me with questions or if further information is needed.

Sincerely,

Dana DeHart, Ph.D.  
Project Director  
SC Victim Service Coordinating Council

Phone: 803-777-7867  
E-mail: [dana.dehart@sc.edu](mailto:dana.dehart@sc.edu)

CC : Mark Sanford  
CC : Daniel Cooper

June 11, 2007

The Honorable Mark Sanford  
Governor of South Carolina  
Office of the Governor  
P.O. Box 12267  
Columbia, SC 29211

Dear Governor Sanford,

I am writing on behalf of the SC Victim Service Coordinating Council (VSCC). The VSCC is part of the State Office for Victim Assistance's mandate to provide "support for a state-level advisory group representative of all agencies and groups involved in victim/witness and domestic violence services to improve coordination efforts" (Title 16, Article 14 of the SC Code of Laws). Recently, the VSCC reviewed recommendations made in the March 2007 report by the SC General Assembly's Legislative Audit Council, "An Overview of Victim Services in South Carolina." We are writing to inform you of our endorsement of several recommendations of that report. The first addresses dissolution of the Victim Advocate Policy Committee:

*"1. The General Assembly should dissolve the Victim Advocate Policy Committee, determine which of its functions remain necessary, and transfer those responsibilities to the Victim Services Coordinating Council or the Commission on Prosecution Coordination" (p.22).*

There was unanimous consensus from the VSCC that these duties would be more appropriately situated within the Commission on Prosecution Coordination (CPC). Thus, it is the recommendation of the VSCC that the Victim Advocate Policy Committee be dissolved and remaining functions be transferred to the CPC.

Other recommendations pertained to amendments of the audit proviso (p.31):

*"5. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to require that the Office of the State Auditor notify the State Office of Victim Assistance and South Carolina Court Administration of all completed court audit reports.*

*6. The General Assembly should amend the assessment audit proviso in subsequent appropriations acts to allow input from the State Office of Victim Assistance, the State Treasurer's Office and South Carolina Court Administration in the audit selection process. If no input is received, a random selection process should be used.*

*7. The General Assembly should authorize the State Office of Victim Assistance and South Carolina Court Administration to follow up to ensure that deficiencies found in court audits are corrected.*

*8. The General Assembly should authorize the State Office of Victim Assistance to conduct programmatic reviews of victim services agencies."*

The VSCC unanimously supported these recommendations.

We encourage you to incorporate all of the aforementioned recommendations in the FY 08-09 General Appropriations Bill. Thank you in advance for your consideration of our request. Please feel free to contact me with questions or if further information is needed.

Sincerely,

Dana DeHart, Ph.D.  
Project Director  
SC Victim Service Coordinating Council

Phone: 803-777-7867  
E-mail: [dana.dehart@sc.edu](mailto:dana.dehart@sc.edu)

CC : Hugh Leatherman  
CC : Daniel Cooper

